

Serial No. 10/015,631

1. (Previously Presented) A delivery device for delivering a plurality of individual surgical fasteners, said delivery device comprising:

an elongated hollow member having a longitudinal axis;

a plurality of fasteners, each fastener having a proximal and a distal end, the plurality of fasteners sized to be contained within the hollow member serially with respect to one another along the longitudinal axis;

- a. ~~a drive mechanism having distal and proximal ends, said drive mechanism comprising a moving a piercing member configured to move between a first position and a second position along the longitudinal axis, and a fixed opposing member, said moving the piercing member being moveable proximally and distally, said moving member having a sharpened distal end for piercing tissue; and~~
- b. ~~a plurality of elastically constrained surgical fasteners located between said fixed and said moving members, each of said at least one surgical fasteners having a proximal end and a distal end, wherein said fasteners are not engaging one another and are spaced apart from one another;~~
- e. an elongate member disposed substantially within the hollow member, the elongate member being positionable along the longitudinal axis between a first position, whereat the elongate member engages the proximal end of the distal-most one of the plurality of fasteners, and a second position whereat the elongate member does not engage the distal-most one of the plurality of fasteners, and wherein the piercing member and the elongate member are movable with respect to one another within the hollow member.

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~~an actuator having at least two sequential positions, first position for moving said moving member distally and piercing tissue, and a second position for moving said moving member proximally, thereby deploying said distal end of said fastener.~~

2 - 17 (Cancelled)